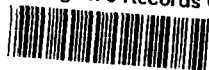




"Brooks, Patrick J."  
<PBrooks@ssd.com>  
06/02/2006 03:10 PM

To: Brian Monroe <monroeb@michigan.gov>  
cc: Catherine Garypie/R5/USEPA/US@EPA, Kathe Corson  
<CORSONK@michigan.gov>, Jonathan Pierce  
<PierceJC@michigan.gov>, Robert Reichel  
bcc:

EPA Region 5 Records Ctr.



366983

Subject: Custodial Trustee

Brian:

I will get you the resume ASAP. I don't have it handy.

As far as references, one person you could contact is former Ohio EPA Director Don Schregardus. I would suppose OEPA could help you get in contact with him. I will also see what I can do. I'll find out about a website.

Mr. West has not served as a custodial trustee, but as set forth below has close to 4 decades of relevant experience in managing environmental projects in capacities, public and private.

Regards,

Patrick Brooks

-----Original Message-----

From: Brian Monroe [mailto:[monroeb@michigan.gov](mailto:monroeb@michigan.gov)]

Sent: Friday, June 02, 2006 3:29 PM

To: Brooks, Patrick J.

Cc: garypie.catherine@epamail.epa.gov; Kathe Corson; Jonathan Pierce;

Robert Reichel; Jason.Barbeau@usdoj.gov

Subject: Re: FW: Custodial Trustee

Patrick: I tried to do some research on Mr. West via the Internet but have been unsuccessful to date. Does his firm have a web site? I think that Michigan will need to see Mr. West's resume along with references that we could check with. Has he had any actual experience as a custodial trustee? If you can provide this additional information, we can assess his suitability as a trustee. We may want to talk to him directly but not before we have been provided more information on his trustee experience and credentials. Thanks, Brian

Brian Monroe, Chief

Redevelopment and Enforcement Support Unit Compliance & Enforcement  
Section Remediation & Redevelopment Division Department of Environmental  
Quality  
517-373-7508

>>> "Brooks, Patrick J." <PBrooks@ssd.com> Jun 2, 2006 2:05 PM >>>  
Brian:

I spoke with Jonathan, who is out sick today. He agreed to allow me to contact you and ask if MDEQ has any opposition to Bill West serving as Custodial Trustee (see below) as an alternative to Paul Harper, who is objectionable to DOJ and perhaps others. If you would like to talk with Bill I could set up a call today, or if you have no opposition we would appreciate confirmation of same. KS has no opposition. OK is agreeable if DOJ signs off. They did not want to talk with Mr. West.. I am still pursuing Illinois.

Your prompt attention to this would be greatly appreciated. We would like to identify Mr. West as a party agreeable to the States, if possible, to avoid a contested matter.

Regards,

Patrick Brooks

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From: Brooks, Patrick J.  
Sent: Friday, June 02, 2006 10:02 AM  
To: 'ebessey@kdhe.state.ks.us'; 'Streuli, Betsey';  
'jmorgan@atg.state.il.us'; 'JKMcManus@ag.state.oh.us';  
'piercejc@michigan.gov'  
  
Cc: Winters, Karen; Lerner, Stephen D.; 'Alan.Tenenbaum@usdoj.gov';  
'Elise.Feldman@usdoj.gov'  
Subject: RE: Custodial Trustee  
Importance: High

Counsel:

We had a call with DOJ and Mr. West the other day. We would like to put Mr. West forward as Custodial Trustee to address concerns that various persons have raised about Mr. Harper serving in that capacity. I would propose that we have a call at 12 EDT with any state representatives that would be interested in talking with Mr. West about his qualifications. Please let me know if you plan to participate.

We will use the following dial in:

866.740.1260

479 8370

Patrick

---

From: Brooks, Patrick J.  
Sent: Wednesday, May 24, 2006 6:31 PM  
To: 'Alan.Tenenbaum@usdoj.gov'; 'Elise.Feldman@usdoj.gov';  
'ebessey@kdhe.state.ks.us'; 'Streuli, Betsey';  
'jmorgan@atg.state.il.us'; 'JKMcManus@ag.state.oh.us';  
'piercejc@michigan.gov'

Cc: Winters, Karen; Lerner, Stephen D.; 'Kreller, Tom'; 'Putman Jr.,  
Lewis'  
Subject: Custodial Trustee  
Importance: High

Counsel:

As you know the Debtors' first choice for Custodial Trustee is Paul Harper. We have heard from DOJ that the DOJ and some of the States have objections to Paul Harper serving as Trustee, although several States do not appear to have strong opposition to this choice. The Company currently plans to proceed to ask the Court to approve Paul Harper as Custodial Trustee, or an entity he would incorporate for this purpose.

At the same time, the Company is also pursuing alternatives. The Company has approached William L. West of William L. West Consulting, L.L.C. about serving as Custodial Trustee. Mr. West has 37 years of environmental management experience in industry and government. He is the former Director of Environmental Control, Republic Steel Corporation and LTV Steel Company, Inc. where he served from 1975 to 2003. In that role he was involved in both of LTV's bankruptcy proceedings. Before working at Republic Steel Corporation and LTV Steel Company, Inc. Mr. West was at the United States Environmental Protection Agency and Federal Water Quality Administration from 1968 to 1975.

Mr. West has a wealth of both environmental and bankruptcy experience and management of environmental projects and we believe he would be an excellent candidate for Custodial Trustee. Mr. West is still conducting due diligence to determine whether he would like to take on this project. But, we wanted to inform you as to the current status of our efforts with respect to identifying a Custodial Trustee. We will provide a CV as soon as possible.

If you have any questions, please feel free to contact Karen Winters or me.

Patrick J. Brooks  
Squire, Sanders & Dempsey L.L.P.  
4900 Key Tower  
127 Public Square  
Cleveland, Ohio 44114  
(216) 479-8370  
(216) 479-8776 (Fax)  
pbrooks@ssd.com  
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